

ORDINANCE NO. 15-042

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING CHAPTER 13, "FIRE PREVENTION AND PROTECTION," OF THE CODE OF THE CITY OF GALVESTON, 1982; AS AMENDED; ADOPTING THE 2012 EDITION OF THE "INTERNATIONAL FIRE CODE" WITH LOCAL AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE OF JULY 1, 2015; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the City of Galveston Fire Marshal ("staff") recommends adopting, with certain amendments, the 2012 edition of the "International Fire Code" (the "IFC 2012"), regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Galveston; and,

WHEREAS, the City of Galveston is currently operating under the 2009 edition of the "International Fire Code" as amended and after reviewing this code, staff has noticed important differences between the contents of the 2009 edition of the IFC and the 2012 edition; and,

WHEREAS, the 2009 edition of the IFC does not reflect various updates in life safety issues. With the increase in economic growth and construction in the City of Galveston, adoption of the IFC 2012 will help the Fire Marshal's Office to better protect the safety of citizens and tourists in the City; and,

WHEREAS, the proposed adoption and implementation of the IFC 2012 is to be citywide, thereby providing a uniform application of the Code throughout all areas of the City; and,

WHEREAS, the immediate adoption of the IFC 2012 should soon result in a decreased number of unsafe structures that are threatening to life and property throughout the City. The adoption and enforcement of the proposed IFC 2012 will allow the City of Galveston to be more proactive and effective in addressing a wide variety of life safety and fire safety issues; and,

WHEREAS, the City Council of the City of Galveston deems it to be in the public interest to adopt the IFC 2012 with amendments as provided below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The Code of the City of Galveston 1982, as amended, "Chapter 13", "Fire Prevention and Protection" is amended to read and provide as follows:

ARTICLE II. FIRE PREVENTION CODE

Sec. 13-10. Adopted.

There is hereby adopted by the city council for the purpose of prescribing regulations governing conditions hazardous to life and property by fire or explosion, that certain code known as the ~~2009~~ 2012 edition of the International Fire Code ("IFC ~~2009~~ 2012"), published by the International Code Council, save and except such portions as are hereinafter amended. The IFC ~~2009~~, 2012 as adopted and amended, is on file in the office of the city secretary, and is incorporated herein to the same extent as though it were set out at length herein.

There is hereby adopted by the City Council for the purpose of prescribing, regulations governing conditions hazardous to life and property by fire or explosion, that certain code known as the ~~2009~~ 2012 edition of the "NFPA 101 Life Safety Code" ("NFPA ~~2009~~ 2012") in its entirety. The NFPA ~~2009~~ 2012 is hereby adopted and is incorporated into the IFC 2009 as Chapter 48 for all intents and purposes. A copy of the NFPA ~~2009~~ 2012 is on file in the office of the city secretary.

Sec. 13-11. Local fire prevention code amendments, deletions, and supplements thereto.

The IFC ~~2009~~ 2012 adopted pursuant to the foregoing provisions of this chapter is hereby amended to the extent set forth in that certain document entitled "Local Fire Prevention Code Amendments ~~2009~~ 2012," which is hereby incorporated as "Attachment A", which document is hereby adopted, its contents and provisions being incorporated herein by reference, and same being available for inspection and copying in the respective offices of the city secretary and fire official.

The department of fire prevention is subject to all applicable City Charter, City Code, collective bargaining, Civil Service Commission Rules, and state regulations pertaining to jurisdiction and employment. No provision contained in the IFC ~~2009~~ 2012 edition governing the employment, staffing, hiring, termination, or discipline of a fire prevention official or employee shall apply. Furthermore, all provisions pertaining to the appointment, duties, liability, and legal defense of any officer or employee shall not be governed by the IFC ~~2009~~ 2012 edition.

Sec. 13-13. Amendments.

The fire prevention code adopted in this article is hereby amended as follows:

Chapter 48 of the ~~2009~~ 2012 "International Fire Code" Section 4.6.3, Historic Buildings" of the NFPA 101 Life Safety Code ~~2009~~ 2012 edition to permit the fire marshal the authority to offer some leniency from code requirements for buildings or structures identified and classified as historic buildings or structures where it is evident that a reasonable degree of safety is provided. If the fire marshal judges that a reasonable degree of safety is provided, compliance with the modified requirement is adequate.

Sec. 13-16. Permit fees.

- (a) As stated in the ~~2009~~ 2012 International Fire Code, Section 105.1.2, there shall be two types of permits, operational and construction. All operational permits shall be valid for twelve (12) months from the date of issuance. All construction permits shall be valid for a period of time as determined by the fire official.
- (b) Permit fees shall be required and fees applied to the extent set forth in that certain document entitled "Permit Fees 2013", which is hereby incorporated as "Attachment B", which document is hereby adopted, its contents and provisions being incorporated herein by reference, and same being available for inspection and copying in the respective offices of the city secretary and the fire official. Any other fees not listed in "Permit Fees 2013" shall be fifty dollars (\$50.00).
- (c) Triple permit fees: The fire official may impose a triple permit fee when he/she finds a condition, activity or occupancy requiring a permit exists and no permit has been issued by the fire official.
- (d) Inspections and re-inspections Fees: Where it is determined that an inspection fee shall be required or that a fire hazard / violation of the "Local Fire Code" of the city exists a re-inspection fee shall be applied to the extent set forth in that certain document entitled "Permit Fees 2013", which is hereby incorporated as "Attachment B", which document is hereby adopted, its contents and provisions being incorporated herein by reference, and same being available for inspection and copying in the respective offices of the city secretary and the fire official

Sec. 13-19. Group-Care facilities.

- (a) The use of a building or structure, or portion thereof, for educational, supervision, or personal care service for and including 12 occupants for any period of time and not classified as R-3 or I shall be classified as a group care facility.
- (b) Group care facilities:
 - 1. Day Care Home – up to 12 occupants
 - 2. Day Care Center – over 12 occupants
- (c) An annual inspection shall be required to maintain the standards and safety of all occupants and an operational permit fee shall be required as stated in "Permit Fees ~~2009~~ 2013 # 48."

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 5. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 6. This Ordinance shall be and become effective on _____, 2015 after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

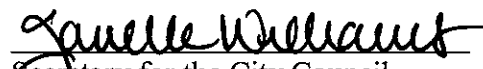
APPROVED AS TO FORM:


DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on June 11, 2015 as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 15 day of June, 2015.




Secretary for the City Council
of the City of Galveston

ATTACHMENT "A"

LOCAL FIRE PREVENTION CODE AMENDMENTS, 2012

SECTION 101 "SCOPE AND GENERAL REQUIREMENTS" shall be amended to read and provide as follows:

"101.1 – Title. These regulations shall be known as the City of Galveston Fire Code hereinafter referred to as "this code."

101.2.1 – Appendices. Provisions in the appendices shall not apply unless specifically adopted. Appendices B, C, D, E, F, G, H, I and J are hereby adopted and made part of this code.

SECTION 102 "APPLICABILITY" shall be amended to read and provide as follows:

102.2 – Administrative, operational and maintenance provisions. The administrative, operational and maintenance provisions of this code shall apply to:

1. Conditions and operations arising after the adoption of this code.
2. Existing conditions and operations.
3. Conditions that in the opinion of the fire code official or building code official constitute a distinct hazard to life or property.

102.7 - Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference ~~and as further regulated in Sections 102.7.1 and 102.7.2.~~ Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well.

SECTION 103—"DEPARTMENT OF FIRE PREVENTION" shall be deleted in its entirety and amended to read and provide as follows:

103.1 – General. The Department of Fire Prevention is subject to all applicable City Charter, City Code, Collective Bargaining and State of Texas regulations pertaining to jurisdiction and employment. No provision contained in the International Fire Code, 2012 edition governing the employment, hiring, termination, or discipline of a fire prevention official or employee shall apply. Furthermore, all provisions pertaining to the appointment, duties, liability, and legal defense of any officer or employee shall not be governed by the International Fire Code, 2012 edition.

SECTION 106 "INSPECTIONS" shall be amended to read and provide as follows:

106.5 – Standby Personnel- (fire watch). When required, the owner, agent or lessee shall employ one or more approved standby personnel to be on duty in accordance with Section 114. It

shall be the responsibility of, the owner; agent or lessee to make payment of applicable fees to the standby personnel at time service is rendered. The department of fire prevention shall approve the standby personnel.

SECTION 109 “VIOLATIONS” shall be amended to read and provide as follows:

109.4 – Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a **Class C Misdemeanor Offense**, punishable by a fine of not more than **Two Thousand Dollars (\$2,000.00)**, ~~or by imprisonment not exceeding [NUMBER OF DAYS], or both fine and imprisonment.~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

SECTION 111 “STOP WORK ORDER” shall be amended to read and provide as follows:

111.4 – Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than **Two Hundred Dollars (\$200.00)** or more than **Two Thousand Dollars (\$2,000.00)**.

THE IFC 2012 IS AMENDED BY ADDING SECTION 114 “FIRE WATCH”, which shall read and provide as follows:

SECTION 114 **FIRE WATCH**

114.1 – Standby Personnel (fire watch). The fire code official is authorized to require that standby personnel be provided when deemed necessary to ensure public safety due to number of persons present, or the nature of a performance, exhibition, display, contest or activity. The fire code official is also authorized to require standby personnel as a condition for:

- (1) Approval of any permit required in Section 105 of this code.
- (2) The issuance of a temporary certificate of occupancy by the building official.
- (3) Where insufficient adequacy or means of exit egress or other safety hazard may exist in any occupancy or public assembly.
- (4) Where fire protection or life safety systems may be severely impaired or out of service.

114.2 – Payment of fees. When required, the owner, agent or lessee shall employ one or more approved standby personnel to be on duty in accordance with this section. It shall be the responsibility of, the owner; agent or lessee to make payment of applicable fees to the standby personnel at time service is rendered. The department of fire prevention shall provide the standby personnel. The standby personnel shall be subject to the fire code official’s orders at all times when so employed. Personnel shall be in uniform and remain on duty during the times and the

places required to comply with the fire code official's requirements as established under Section 114.1.

114.3 – Standby Personnel – Inspectors. When required by the fire code official, standby inspectors shall be provided to ensure compliance with this code and/or other laws, including ordinances of the jurisdiction. Standby inspectors shall be state-certified fire inspectors, who are approved by the fire code official.

114.3.1 – Firefighters as Standby personnel. When standby personnel are required by the fire code official, and state-certified inspectors are unavailable, the fire code official may substitute firefighters, as standby personnel. The fire code official must individually approve these firefighters.

SECTION 202 “GENERAL DEFINITIONS” shall be amended to read and provide as follows:

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the fire code official, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

SECTION 307 “OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES” shall be amended to read and provide as follows:

307.2.2 – Unauthorized burning. The building of fires upon the paved portion of public streets and right-of-ways; building of warming fires at construction sites; and building fires for the purpose of burning trash, leaves, grass clippings or debris is prohibited except as otherwise provided for by this code. Any such fires shall be immediately extinguished.

307.4 – Location. The location for open burning shall not be less than ~~50 feet (15-240mm)~~ 100 feet from any structure or vegetation, if on the beach, and provisions shall be made to prevent the fire from spreading to within ~~50 feet (15-240mm)~~ 100 feet of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.
2. ~~The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.~~

307.4.1 – Bonfires. A bonfire shall not be conducted within ~~50 feet (15-240 mm)~~ 100 feet of a structure, ~~or combustible materials, or vegetation, if on the beach unless the fire is contained in a~~

~~barbecue pit.~~ Conditions, which could cause a fire to spread within ~~50 feet (15-40 mm)~~ 100 feet of a structure, shall be eliminated prior to ignition. The size of the bonfire shall be approved by the fire code official prior to the event.

307.4.2 – Recreational fires. Recreational fires shall not be conducted within ~~25-100~~ feet of a structure, ~~or~~ combustible material or vegetation. All recreational fire must be contained in a barbeque pit or similar approved container. Conditions which could cause a fire to spread within ~~25-50~~ feet of a structure shall be eliminated prior to ignition.”

SECTION 308.1.3—“TORCHES FOR REMOVING PAINT” shall be deleted in its entirety.

THE IFC 2012 IS AMENDED BY ADDING SECTION 319 “REMOVAL OF DEBRIS OR PARTIALLY BURNED BUILDING AFTER FIRES”, which shall read and provide as follows:

SECTION 319

REMOVAL OF DEBRIS OR PARTIALLY BURNED BUILDING AFTER FIRES

319.1– Useless Material. The owner, person in control or in possession of any hay, straws, bales or wool, cotton, paper or other substances which have been rendered useless or un-merchantable by reason or any fire shall remove said articles within forty-eight (48) hours after notice has been given by the fire code official.

319.2 – Burned Structures. Whenever any building or other structure in the city is partially burned, the owner or the person in control shall, within ten (10) days after notice from the fire code official or the building code official or their authorized representative, remove from the premises all the remaining portions of the building structure.

SECTION 503 “FIRE APPARATUS ACCESS ROADS” shall be amended to read and provide as follows:

503.3.1 – Fire Lane Specifications for Marking. All required fire lanes shall be provided and maintained with fire lane striping which shall be clearly marked and consists of a six inch (6”) wide red background stripe with four inch (4”) high white letters stating “NO PARKING FIRE LANE” to be painted upon the red stripe no less than every ten feet (10’) and no greater than every twenty-five feet (25’) along the entire length of the fire lane, showing the exact boundary of the fire lane. Fire lane markings shall be upon the vertical surface of the curb unless otherwise approved by the Fire Marshal.

503.3.2 – Alteration, defacing of signs unlawful. A person commits an offense if the person intentionally alters, defaces, injures, knocks down, or removes, or attempts to alter, deface, or remove any sign required under the terms of this code.

503.4.2– Entrances. Entrances to fire apparatus access roads, trail or other access ways that have been closed with gates and barriers in accordance with Section 503.5 and 503.6 shall not be obstructed by parked vehicles.

503.4.3– Removal of vehicles and obstructions. Vehicles parked and obstructions placed in violation of this code may be removed at the vehicle owner's expense by or at the direction of the fire code official, any peace officer or the property owner.

SECTION 505 “PREMISES IDENTIFICATION shall be amended to read and provide as follows:

505.1 – Address numbers. Identification. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. Numbers shall be a minimum of ~~4 inches (101.6mm)~~ six (6) inches (102mm) high with a minimum stroke width of 0.5 inches (12.7mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. The fire code official is authorized to require additional premise identification if deemed necessary. All premise identification must be maintained to be plainly visible and legible. When a change in business name or location is made the owner or his/her representative shall so advise the fire code official in writing of the change within seven (7) days.

SECTION 507 “FIRE PROTECTION WATER SUPPLIES” shall be amended to read and provide as follows:

507.5.1.1 Hydrant for sprinkler and standpipe systems. Buildings equipped with a sprinkler and/or standpipe system installed in accordance with Section 903 or Section 905 shall have a fire hydrant within 100 feet (30 m) of the fire department connections.

Exception: The distance shall be permitted to exceed 100 feet (30 m) where approved by the fire code official.

507.5.7 - Removal of vehicles parked near fire hydrants. Vehicles parked within 15 feet of a fire hydrant in violation of a state law or ordinance may be removed at the vehicle owner's expense by or at the direction of the fire code official, department of fire prevention personnel or any peace officer.

SECTION 509 “FIRE PROTECTION EQUIPMENT IDENTIFICATION AND ACCESS” shall be amended as follows:

509.1.2– Identification of fire department connections. In addition to signs required by Section 912.4, all fire department connections to standpipe, sprinkler, or combined sprinkler/standpipe systems shall have approved signs indicating the nature of the systems and

building served. Where a fire department connection for automatic sprinkler or standpipe system services only a portion of a building or a specific building within a complex, an approved sign shall be posted, indicating the portion of the building or specific building being served. In buildings or other structures where pressure reducing devices or pressure reducing valves are installed on the standpipe system, the signs shall also indicate the locations or levels of the devices or valves and required pressure at the fire department connections. The signs shall be located on or adjacent to the connection and shall be constructed of durable material. The lettering shall be white in color and not less than 4 inches in height on a red background so that the lettering is clearly visible.

509.1.3 – Identification of control valves. When a fire extinguishing system is provided with more than one control valve, approved identification signs indicating the portion of the system controlled by each valve shall be provided.

SECTION 901 “FIRE PROTECTION SYSTEMS” shall be amended to read and provide as follows:

901.7 – Systems out of service. Where a required life safety or fire protection system is out of service, or in the event of an excessive number of activations, the fire department and the fire code official shall be notified immediately in accordance with Section 901.10 and, where required by the fire code official, the building shall either be evacuated or an approved fire watch or standby inspector, in accordance with Section 114, shall be provided for all occupants left unprotected by the shut down until the life safety or fire protection system has been returned to service.

Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their ~~only~~ duty shall be to perform constant patrols of the protected premises and keep watch for fires.

901.7.2 - Tag required. A ‘red’ tag shall be used to indicate that a system, or portion thereof, has been removed from service. The ‘red’ tag shall indicate the nature of the problem, the date, time and location, and name of the person and service company applying the tag. All information shall be printed on the tag legibly. Upon the placement of a ‘red’ tag, the technician shall notify the appropriate fire department personnel before leaving said property or within two hours, which ever comes first. The technician/company then has 12 hours to provide the Fire Marshal’s Office written documentation of the exact problem with the system.

A ‘yellow’ tag shall be used to indicate that the system does not comply with applicable NFPA standards. The technician/company has 72 hours to provide the Fire Marshal’s Office written documentation of the exact problem with the system.

901.11– Notification of fire department. The Galveston Fire Marshal’s Office shall be immediately notified by telephone, at 409-797-3870, and the City of Galveston Emergency Dispatch Center shall also be notified immediately by telephone, at 409-765-3702, where the life safety system or fire protection system is placed out of service for emergency or non scheduled

repairs, replacements, or services. The Fire Marshal's Office and Dispatch shall be provided with the following information:

1. Correct street address and name of the building or structure.
2. The caller's name and contact phone number.
3. The identity of the system that is impaired or shut down, and if known, the nature of impairment or failure.
4. Estimated length of time system is to be out of service for repairs.
5. The Fire Marshal's Office and the City of Galveston Emergency Dispatch Center shall again be notified when the system is restored to normal operational status.
6. The Fire Marshal's Office shall be notified in advance of any repairs that are to be made to any system, which is out of service.

SECTION 905 "STANDPIPE SYSTEMS" shall be amended to read and provide as follows:

905.3.1 – Height. ~~Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144mm) below the highest level of fire department vehicle access.~~ Buildings 30 feet or more in height or containing three or more stories shall be provided with a Class III standpipe system. It shall be an exception to this requirement that the building is three stories or less and contains 6000 sq. ft. per floor or less and at least two floors are used for apartments."

SECTION 906 "PORTABLE FIRE EXTINGUISHERS" shall be amended to read and provide as follows:

906.1 Where required. Portable fire extinguishers shall be installed in the following locations.

7. In all individual apartments (each living unit) a 21/2lb. ABC (1-A: 10-B: C0.
8. In all individual hotel rooms and motel rooms which include a kitchenette.
9. In all beach house rentals.

SECTION 907 "FIRE ALARM AND DETECTION SYSTEMS" shall be amended to read and provide as follows:

907.1.3 – Equipment. Systems and components shall be listed and approved for the purpose for which they are installed. All new fire alarm systems or replacement fire alarm systems shall be digitally addressable fire alarm/detection systems.

907.1.4 – Fire Alarm Control Room-Panel. ~~Fire Alarm Control Room~~ Panel rooms shall be identified in an approved manner by a permanently attached sign with white letters not less than 2 inches high and red background, indicating the equipment contained therein.

907.6.3.1– Zoning indicator panel. A zoning indicator panel and the associated controls shall be provided in an approved location. The visual zone indication shall lock in until the system is reset and shall not be cancelled by the operation of an audible alarm silencing switch. A zone indicator panel shall be located at the normal point of fire department access, a constantly attended building security control center or an approved location.

SECTION 5601 “EXPLOSIVES AND FIREWORKS” shall be amended to read and provide as follows:

5601.1.2.1 – Explosive Handling at terminal. During handling at a terminal of 1.1, 1.2, or 1.3 explosives, the terminal operator shall hire off-duty firefighters, in a number to be determined by the fire official, as fire watch.

5601.1.3 – Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as permitted in the Section 5604.
2. ~~Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~
The use of fireworks for display as permitted in Section 5608
3. ~~The use of fireworks for display as permitted in Section 5608.~~
4. ~~The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with CPSC 16CFR, Parts 1500 and 1507, and DOT 49CFR, Parts 100-185, for consumer fireworks.~~

5601.1.3.1– Seizure of fireworks. The presence of any fireworks within this jurisdiction in violation of this chapter is hereby declared to be a common and public nuisance. The fire code official is directed and required to seize and cause to be safely destroyed any fireworks found in violation of this code. Any member of the Department of Fire Prevention of the City of Galveston (Fire Marshal’s Office) or any police officer of the jurisdiction is empowered to stop the transportation of and detain any fireworks found being possessed, manufactured, transported, stored, sold, handled or used illegally.

5601.2.4– Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$100,000 ~~\$1,000,000.00~~ or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. ~~The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.~~

1. The City of Galveston shall be named as an additional insured under the liability insurance policy.
2. The City of Galveston shall approve bonds and insurance policies.

3. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required.
4. Government entities shall be exempt from this bond requirement.

5601.2.4.3– Local Explosives Regulations. Before transporting explosives within the City of Galveston, the fire code official may require such procedures as he or she deems necessary to maintain the safety of all involved.

5601.5.1 – Off duty firefighters. Licensee shall hire off-duty firefighters, in a number to be determined by the fire code official, as fire watch.

5601.5.2– Hazardous Material Route. Persons operating vehicles transporting explosives shall follow hazardous material routes as set forth in the City of Galveston Code.

SECTION 5608 “FIREWORKS DISPLAY” shall be shall be amended to read and provide as follows:

5608.2.3 – Firing Types. All firing types are prohibited except electrical.